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August 7, 2000

WRITER'S DIRECT NUMBER:  
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Commissioner for Patents  
Washington, D.C. 20231



**Box Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 09/557,907; Filed: April 21, 2000  
For: **Treatment of Cancer Using Cytokine-Expressing  
Polynucleotides and Compositions Therefor**  
Inventors: Horton *et al.*  
Our Ref: 1530.006004/EKS/EJH

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated July 5, 2000, Applicants submits the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors;
4. An original executed Power of Attorney from Assignee;
5. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
6. Return postcard; and

Commissioner for Patents

August 7, 2000

Page 2

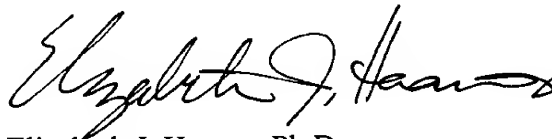
7. Our Check No. 28332 for **\$2,782.00** to cover:
- |                   |   |
|-------------------|---|
| <u>\$690.00</u>   | Filing Fee for Patent Application (37 C.F.R. § 1.16)        |
| <u>\$1,962.00</u> | Fee for excess claims (37 C.F.R. § 1.16)                    |
| <u>\$130.00</u>   | Surcharge for late filing of Declaration (37 C.F.R. § 1.16) |

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.  
Agent for Applicants  
Registration No. 42,613

EJH/pcd  
Encls.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**

for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09, 12,  
See 37 C.F.R. §§ 1.27 and 1.28.

**Complete if Known**

Application Number	09/557,907
Filing Date	April 21, 2000
First Named Inventor	Holly Horton
Examiner Name	To be assigned
Group / Art Unit	To be assigned
Attorney Docket Number	1530.0060004/EKS/EJH

TOTAL AMOUNT OF PAYMENT (\$2,782.00)

**METHOD OF PAYMENT (check one)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

☐ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed: ☒ Check ☐ Money Order ☒ Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	690.00
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	334	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					690.00

**2. EXTRA CLAIM FEES**

	Extra	Fee from below	Fee Paid
Total Claims 103 - 20** = 83	X 18		= 1,494.00
Indep. Claims 9 - 3** = 6	X 78		= 468.00
Multiple Dependent			=

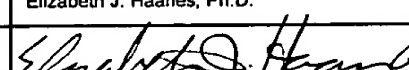
\*\* or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
108	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$) <b>1,962.00</b>

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify):					
Other fee (specify):					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					

**SUBMITTED BY****Complete (if applicable)**

Typed or Printed Name	Elizabeth J. Haanes, Ph.D.	Reg. Number	42,613
Signature		Date	August 7, 2000
		Deposit Acct. User ID	

**WARNING:**

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 5/11/00 mac

Reply to NTFMP.feetms

## FORMALITIES LETTER



\*OC000000005220176\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/557,907	04/21/2000	Holly Horton	1530.0060004/EKS/EJH

Sterne Kessler Goldstein & Fox PLLC  
Attorneys at Law  
Suite 600  
1100 New York Avenue NW  
Washington, DC 20005-3934



Date Mailed: 07/05/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1884.
  - \$1494 for 83 total claims over 20.
  - \$390 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2704.

FC:102

09/31/2000 P21MERM 1608080001 150836 09557907

A copy of this notice **MUST** be returned with the reply.
 690.00 OP  
130.00 OP  
1494.00 OP  
468.00 OP

08/09/2000 AG0110M 00000047 09557907

 01 FC:101  
02 FC:105  
03 FC:103  
04 FC:102

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE